REMARKS

Claims 1-25 are pending in this application.

Objections to the Specification and Claims

The specification and claims were objected to for minor informalities. Accordingly, the specification and claims have been amended as set forth above to address the informalities noted. Withdrawal of the objections is therefore respectfully requested.

Claim Rejections

Claims 1, 2, 3, 10, 18, 19, 21 and 25 were rejected under 35 USC 102(e) as being anticipated by Kim et al. (US 6,343,216, hereafter "Kim").

It is noted that Kim is not listed in the "Notice of References Cited" of the Office Action, nor was it cited by the Applicant. Moreover, the Office Action refers to figures and text in Kim which are not actually present in Kim. For example, there is no "figure 3B, items 125C and 125D" in Kim, nor any mention of an "invalid area" in col. 2, lines 31-34 of Kim (see the Office Action, the paragraph bridging pages 2 and 3). On the other hand, Reichelt et al. (US 6,349,206 B1, hereafter "Reichelt"), which was listed in the "Notice of References Cited," includes a FIG. 3B with elements 125C and 125D. Accordingly, in traversing the above-noted claim rejections, both Kim and Reichelt will be addressed.

To anticipate a claim under § 102, a single prior art reference must identically disclose each and every claim element. See Lindeman Machinenfabrik v. American Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). If any claimed element is absent from a prior art reference, it cannot anticipate the claim. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997). In view of the foregoing authority, the Applicant respectfully submits that both Kim and Reichelt fail to support the asserted rejection.

Independent claim 1 relates to a method for processing a communication interruption between at least two communication devices. The method comprises the steps of: based on proximity to a known prediction point that is determined based on physical phenomena, predicting, during an established communication between the

communication devices, that a connection to one of the communication devices will be interrupted; and announcing that the connection to the one communication device will be interrupted. Independent claims 21 and 25 include similar recitations.

Prediction points are described in the present specification at, for example, page 8, third paragraph. According to embodiments, the prediction points may be known or calculated based on physical phenomena such as a speed of a moving vehicle, topographical conditions, environmental conditions, and the like.

Kim is silent with regard to the prediction points required by the independent claims. Instead, what Kim calls "predicting" is detecting bad frames. See the paragraph bridging cols. 4 and 5, for example.

Reichelt also fails to disclose prediction points as required by the independent claims. In Reichelt, a warning is provided to subcribers to a wireless service when they are approaching an "invalid area." An area is "invalid" when the service to which a subscriber subscribes is not provided in the area by the service provider. See, e.g., col. 2, lines 3-27. There is no teaching of known prediction points that are determined based on physical phenomena, as required by the independent claims.

Accordingly, withdrawal of the rejection of claims 1, 21 and 25 as anticipated by either Kim or Reichelt is respectfully requested. Moreover, claims 2, 3, 10, 18 and 19 depend on claim 1 and consequently are allowable over Kim and Reichelt for at least the reasons discussed in connection with claim 1. Withdrawal of the rejection of claim 1, 2, 3, 10, 18, 19, 21 and 25 is accordingly respectfully requested.

Claims 4-5, 11-16, 20, 22, 23 and 24 were rejected under 35 USC 103(a) as being unpatentable over Kim in view of Amin et al. (US 5,995,830, hereafter "Amin"). To establish a prima facie case of obviousness under § 103, all claim limitations of a claimed invention must be taught or suggested by the prior art. See MPEP, Section 2143.03 and In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In view of this authority, the Applicant respectfully submits that the cited references do not support the asserted rejection.

Claims 4-5, 11-16, 20, 22, 23 and 24 each incorporates the features of either claim 1 or claim 21 by dependency. The deficiencies in Kim/Reichelt with respect to meeting the recitations of claims 1 and 21 have been outlined above. Amin does not

remedy the deficiencies in Kim/Reichelt. Amin relates to an algorithm for determining whether to reconnect a dropped call, but is silent as to a prediction point as required by claims 1 and 21. Therefore, Amin in combination with Kim/Reichelt cannot meet the recitations of claim 1 and 21. Accordingly, withdrawal of the rejection of claims 4-5, 11-16, 20, 22, 23 and 24 as unpatentable over Kim/Reichelt in view of Amin is respectfully requested.

Claim 17 was rejected under 35 USC 103(a) as being unpatentable over Kim in view of Olds et al (US 5,926,767). Claim 17 depends on claim 1 and consequently includes its limitations. Olds et al. does not teach or suggest a prediction point as required by claim 1, and consequently the combination of Kim/Reichelt and Olds et al. cannot render claim 17 unpatentable. Withdrawal of the rejection of claim 17 as unpatentable over Kim/Reichelt in view of Olds et al. is therefore respectfully requested.

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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